

REMARKS**I. Status of the Claims**

Claims 1-20 are pending.

Claims 1, 2 and 14 stand rejected.

Claims 3-13 and 15-20 are objected to as containing allowable subject matter but dependent upon a rejected base claim.

Claims 3 and 4 have been amended.

II. Objection to Specification

The Examiner objects to the title of the invention as being not sufficiently descriptive.

In response, the title has been amended to clearly indicate the claimed invention.

Removal of this objection is requested.

III. Rejection Under 35 U.S.C. 103

The Examiner rejected claims 1, 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,885,727 to Kawatsu ("Kawatsu") in view of United States Patent Application Publication No. 2003/0044674 A1 to Mallari *et al.* ("Mallari"). This rejection is traversed.

With respect to independent claim 1, the Examiner states that Kawatsu discloses every element of claim 1 except for the use of semiconductor anode and cathode structures in the fuel cell system, which is disclosed by Mallari.

Claim 1 requires, among other things, that the electrolyte planar semiconductor structure have “a plurality of pores directed from a first surface to a second surface . . .” (emphasis added).

In contrast, Kawatsu does not disclose an electrolyte structure having “a plurality of pores directed from a first surface to a second surface” as required by claim 1. And Mallari reference does not cure this defect. Thus, Kawatsu and Mallari, either singly or in combination do not disclose, teach, or suggest the invention claimed in claim 1.

Accordingly, withdrawal of this rejection and allowance of claim 1 and claims 2 and 4, depending therefrom, are requested.

IV. Allowable Subject Matter

Applicant notes with appreciation that the Examiner has indicated that claims 3-13, 15-20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 3 has been rewritten in independent form including all of the limitations of its base claim, claim 1. Thus, allowance of claim 3 is requested.

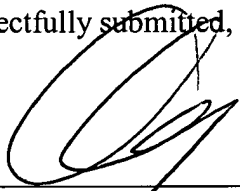
With respect to claim 4, the Examiner first objected to its form but for the purpose of compact prosecution, the Examiner examined claim 4 as being dependent on claim 1 and then found it to contain allowable subject matter if rewritten in independent form.

Claim 4 has been rewritten in independent form incorporating the limitations of claim 1. Accordingly, removal of this objection and allowance of claim 4 and claims 5-13, and 15-20, depending therefrom, are requested.

Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein. If the Examiner believes the prosecution of this application would be advanced by a telephone call, the Examiner is invited to contact the applicant's attorney at the telephone number indicated below.

No fee is believed due for the submission of this paper. The Commissioner is hereby authorized to charge payment of any additional filing fees required to Duane Morris Deposit Account No. 50-2061.

Respectfully submitted,

By: 
Arthur L. Plevy
Attorney for Applicant
PTO Reg. No. 24,277

Duane Morris LLP
100 College Road West, Suite 100
Princeton, NJ 08540
(609) 919-4400
(609) 919-4401 - facsimile